

ORDINANCE NO. 96- 68

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 26-51(b) OF THE CODE OF LAWS AND ORDINANCES RELATING TO PALM BEACH COUNTY GOVERNMENT TO DELETE THE TOWN OF JUPITER FROM THE FIRE/RESCUE MSTU; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Palm Beach County adopted Ordinance No. 83-23 which created municipal service taxing units (MSTUs) to provide fire protection, fire rescue, advance life support (or similar services), and other services necessary and incidental to the purposes for which the MSTUs were created; and

WHEREAS, the Town of Jupiter (hereafter "Town") adopted Ordinance No. 41-87 authorizing and requesting that all or part of the area within the municipal boundaries of the Town, as described in Exhibit A attached to Ordinance No. 41-87, upon its adoption and the affirmative vote of the electors of the Town, be included within Palm Beach County MSTU No. 1; and

WHEREAS, Palm Beach County (hereafter "County") adopted Ordinance No. 88-9 which amended the legal description of Fire Rescue MSTU No. 1 to include the Town within its boundaries; and

WHEREAS, County adopted Ordinance No. 90-3 which consolidated and merged MSTU Nos. 1, 2, and 3 and named the newly consolidated and merged MSTU as Fire/Rescue MSTU; and

WHEREAS, thereafter, the Town adopted Ordinance No. 10-96 repealing Ordinance No. 41-87 and evidencing the Town's withdrawal from Fire Rescue MSTU No. 1, which is now a part of Fire/Rescue MSTU, as of October 1, 1997.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. The legal description of the existing Fire/Rescue MSTU as referenced in Section 2 of Palm Beach County Ordinance No. 83-23, as amended by Ordinance No. 87-34, 88-9 and 88-38, and further amended by Ordinance No. 90-3, which merged and consolidated MSTU Nos. 1, 2, and 3, and named the newly consolidated and merged MSTU as Fire Rescue MSTU, as amended by

1 Ordinance No. 92-39, shall be amended to delete that area more
2 specifically described in Schedule A, attached to Ordinance No. 88-
3 9, known as the Town of Jupiter. Accordingly, paragraph (b) of
4 Section 25-61 of the Code of Laws and Ordinances Relating to Palm
5 Beach County Government is amended as follows:

6 (b) The boundaries of the Fire/Rescue MSTU shall be as
7 follows:

8 Beginning at the water's edge of the Atlantic Ocean and the
9 southern boundary of Palm Beach County; thence,

10 (1) Westerly along the south line of Palm Beach County
11 to the South Florida Water Management District Levee 40^E
12 in Section 30, Township 47 South, Range 41 East; thence,

13 (2) Northerly along the eastern right-of-way of Levee 40 to
14 the west line of Section 30, Township 44 South, Range 41 East;
15 thence

16 (3) Northerly along the west line of Range 41 East to the
17 northwest corner of Section 19, Township 44 South, Range 41
18 East; thence

19 (4) Westerly along the prolongation of the north line of
20 Section 19, Township 44 South, Range 41 East, to said Levee
21 40; thence

22 (5) Northwesternly along the eastern right-of-way of said
23 Levee 40 to the center line of Old State Road 80; thence

24 (6) Westerly along the center line of State Road 80 to the
25 intersection of the center line of U.S. Highway 98; thence

26 (7) Northwesternly along the center line of U.S. Highway 98 to
27 the west line of Range 40 East; thence

28 (8) North along the west line of Range 40 East to the
29 northeast corner in Section I, Township 43 South, Range 39
30 East; thence

31 (9) East along the south line of Section 36, Township 42
32 South, Range 39 East, to the southeast corner of Section 36,
33 Township 42 South, Range 39 East; thence;

34 (10) North along the east line of Range 39 to the southwest
35 corner of Section 18, Township 41 South, Range 40 East; thence

(11) Eastern along the south lines of Sections 18, 17, 16, 15, 14, and 13, Township 41 South, Range 40 East and Section 18, Township 41 South, Range 41 East to the easterly right-of-way line of S.R. 710 (Beeline Highway); thence

(12) Northwesterly along said right-of-way line to the northern boundary of Palm Beach County; thence Easterly along said northern boundary to the water's edge of the Atlantic Ocean; thence

(14) Southerly along said water's edge to the point-of-beginning.

Town of Haverhill Boundary Description:

A portion of the southwest one-quarter (SW 1/4 of Section 25, Township 43 South, Range 42 East and a portion of the southeast one-quarter (SE 1/4) of Section 26, Township 43 South, Range 42 East and a portion of the northeast one-quarter (NE 1/4) of Section 35, Township 43 South, Range 42 East and a portion of the northwest one-quarter (NW 1/4) of Section 36, Township 43 South, Range 42 East; being more particularly described as follows:

Beginning at the south one-quarter (S 1/4) corner of Section 25, Township 43 South, Range 42 East; thence N 01°25'25" E along the east line of the southwest one quarter (SW 1/4) of said Section 25 for a distance of 600.00 feet; thence N 88° 31'44" W along a line parallel with the south line of the southwest one quarter (SW 1/4) of said Section 25 for a distance of 1,679.05 feet; thence N 01°23'33" E along the east line of the west three-quarters (W 3/4) of the southwest one-quarter (SW 1/4) of the southwest one-quarter of said Section 25 for a distance of 193.00 feet; thence N 88° 31' 44" W along a line parallel with and 793.00 feet north of as measured at right angles to the south line of the southwest one-quarter (SW 1/4) of said Section 25 for a distance of 1,007.49 feet; thence N 01° 22' 25" E along the east line

1 of the southeast one-quarter (SE 1/4) of Section 26,
2 Township 43 South, Range 42 East for a distance of 547.50
3 feet; thence run N 89° 17' 48" W along the north line of
4 the south one-half (S ½) of said Section 26 for a
5 distance of 2,687.25 feet; thence S 01° 25' 19" W along
6 the west line of the southeast one-quarter (SE 1/4) of
7 said Section 26 for a distance of 1,348.50 feet to the
8 south one-quarter (S 1/4) corner of said Section 26;
9 thence S 01° 24' 58" W along the west line of the northeast
10 one-quarter (NE 1/4) of Section 35, Township 43 South,
11 Range 42 East, for a distance of 2,656.11 feet to the
12 center of said Section 35; thence S 89° 03' 20" E along
13 the south line of the northeast one-quarter (NE 1/4) of
14 said Section 35 for a distance of 2,017.69 feet; thence
15 run N 01° 23' 03" E along the west line of the southeast
16 one-quarter (SE 1/4) of the southeast one-quarter (SE
17 1/4) of the northeast one-quarter (NE 1/4) of said
18 Section 35 for a distance of 425.63 feet; thence S 89°
19 09' 30" E along a line parallel with and 242.00 feet
20 south of as measured at right angles to the north line of
21 the southeast one-quarter (SE 1/4) of the southeast one-
22 quarter (SE 1/4) of the northeast one-quarter (NE 1/4) of
23 said Section 35 for a distance of 672.50 feet; thence S
24 01° 22' 24" W along the east line of said Section 35 for
25 a distance of 426.84 feet; thence S 88° 38' 43" E along
26 the south line of the southwest one-quarter (SW 1/4) of
27 the southwest one-quarter (SW 1/4) of the northwest one-
28 quarter (NW 1/4) of Section 36, Township 43 South, Range
29 42 East for a distance of 669.94 feet; thence N 01° 24'
30 25" E along the east line of the west one-half (W ½) of
31 the southwest one-quarter (SW 1/4) of the northwest one-
32 quarter (NW 1/4) of said Section 36 for a distance of
33 1,337.02 feet; thence S 88° 35' 13" E along the south
34 line of the southeast one-quarter (SE 1/4) of the
35 northwest one-quarter (NW 1/4) of the northwest one-

1 quarter (NW 1/4) of said Section 36 for a distance of 670
2 .71 feet; thence N 01° 26' 24" E along the east line of
3 the west one-half (W ½) of the northwest one-quarter (NW
4 1/4) of said Section 36 for a distance of 835.21 feet;
5 thence run S 88°33'02" E along the center line of Grove
6 Street as shown on the plat of "the Cleveland
7 Groveacres" according to the plat thereof recorded in
8 Plat Book 9 at page 26 of the public records of Palm
9 Beach County, Florida, for a distance of 1,342.40 feet;
10 thence run N 01°30'24" E along the east line of the
11 northwest one-quarter (NW 1/4) of said Section 36 for a
12 distance of 500.61 feet to the point of beginning.

13 Said lands situate within Palm Beach County, Florida,
14 containing 359.62 acres more or less.

15 Less therefrom all incorporated areas of Palm Beach
16 County except those municipalities and municipal
17 boundaries thereof, which have opted to become a part of
18 the Fire-Rescue MSTU and been accepted pursuant to
19 Florida Statutes 3 section 125.01(q)2 by referendum and
20 ordinance, respectively, namely, ~~the Town of Jupiter~~, the
21 Town of Glen Ridge, the Town of Lake Clarke Shores, the
22 Town of Cloud Lake, the Town of Golfview, the Town of
23 Juno Beach, or those hereinafter exercising such right.

24 **SECTION 2. Repeal of Laws in Conflict:** All local laws and
25 ordinances in conflict with any provisions of this ordinance are
26 hereby repealed to the extent of such conflict.

27 **SECTION 3. Severability:** If any section, paragraph,
28 sentence, clause, phrase, or word of this ordinance is for any
29 reason held by a Court to be unconstitutional, inoperative or void,
30 such holding shall not affect the remainder of this ordinance.

31 **SECTION 4. Inclusion in the Code of Laws and Ordinances:** The
32 provisions of this ordinance shall become and be made a part of the
33 Code of Laws and Ordinances Relating to Palm Beach County
34 Government. The sections of this ordinance and the Code of Laws

1 and Ordinances Relating to Palm Beach County Government may be
2 renumbered or relettered to accomplish such, and the word
3 "ordinance" may be changed to "section", "article", or any other
4 appropriate word.

5 **SECTION 5. Effective Date:** The provisions of this ordinance
6 shall become effective on October 1, 1997.

7 **APPROVED AND ADOPTED** by the Board of County Commissioners of
8 Palm Beach County, Florida, on the 17th day of December, 1996.

9 ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

10 Dorothy H. Wilken, Clerk

12 By: April C. Smith
13 Deputy Clerk

By: [Signature]
Chair

14 APPROVED AS TO FORM AND
15 LEGAL SUFFICIENCY

16 [Signature]
17 County Attorney



18 Filed with the Department of State on the 20th day of
19 December, 1996.
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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the ordinance filed in my office
on 12/17/96
DATED at West Palm Beach, FL on 1/3/97
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (96-68) (e.g., 93 - 001)
PRIMARY KEYFIELD DESCRIPTOR: (X Fire Protection)	
SECONDARY KEYFIELD DESCRIPTOR: (Counties)	
OTHER KEYFIELD DESCRIPTOR: (MSTU)	
ORDINANCE DESCRIPTION: () (25 characters maximum including spaces)	
ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: (96-12); AMENDMENT # 2: ()	
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: (); REPEAL # 3: ();	
REPEAL # 2: (); REPEAL # 4: ();	
(Others repealed: list all that apply):	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: ()	KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: ()	Rev. 6/29/93